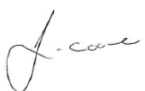




VISA SPONSORSHIP Corporate Policy

Title of Policy Document	Visa Sponsorship
Issue Date and Version	August 2026 (Version 5)
Policy Reference Number	145
Categories	☒ Core ☒ Corporate ☐ Equal Opportunities ☐ Health and Safety ☐ Housing ☒ Human Resources ☒ Information Governance ☐ IT and Communications ☐ Learning and Development ☐ Professional Practice and Standards ☒ Recruitment ☐ Service Management ☐ Stakeholder Involvement ☐ Support Planning and Risk Assessment ☒ Service Provision – CQC services ☒ Service Provision
Signed off by	 Julie Cooke Service Director with Responsibility for People
First issue date	July 2023
Renewal date	August 2028

1. INTRODUCTION

- 1.1** This Policy is written in conjunction with the **Right to Work Policy** and the **Identity Verification Policy**.
- 1.2** Creative Support is proud to have a diverse workforce of individuals some of whom hold time-limited immigration permission to work in the UK.
- 1.3** Creative Support's sponsor licence application was approved on 7th July 2023. The organisation has held an A rated sponsor licence with the UKVI since this date, allowing Creative Support to assign Certificates of Sponsorship to eligible workers where all immigration, employment and organisational requirements are met.
- 1.4** Holding a sponsor licence places significant legal and regulatory duties on Creative Support. These include preventing illegal working, maintaining accurate records, monitoring sponsored workers, reporting specified changes to the Home Office and ensuring sponsored roles remain genuine and compliant throughout the sponsorship period.
- 1.5** Sponsorship is discretionary and is not an automatic entitlement for an applicant or existing employee. All sponsorship requests will be assessed individually against current immigration rules, the eligibility of the role, salary requirements, business need, available Certificates of Sponsorship and the individual's circumstances and the UKVI rules and regulations at the time of application.
- 1.6** Creative Support reserves the right to refuse or withdraw sponsorship and to undertake any investigations or compliance checks considered necessary where eligibility requirements are not met, information is incomplete or inaccurate, organisational approval has not been obtained, or continuing sponsorship would create an unacceptable legal, financial or compliance risk.
- 1.7** Creative Support highly values all employees, including those we sponsor under the Skilled Worker route. We are committed to supporting sponsored workers while ensuring we meet our legal responsibilities under UK immigration legislation, UKVI Sponsor Guidance and employment law.
- 1.8** Whilst Creative Support supports employees throughout the sponsorship process, decisions relating to immigration applications and the interpretation of immigration legislation are made solely by UK Visas and Immigration (UKVI). Our responsibility is to comply with those requirements as a licensed sponsor.

2. POLICY PURPOSE

- 2.1** Creative Support uses sponsorship to support workforce planning and recruit and retain suitably skilled employees in roles which meet the requirements of the Skilled Worker route. This policy sets out how Creative Support will assess, approve, issue, manage and, where necessary, withdraw sponsorship.
- 2.2** The purpose of this policy is to ensure Creative Support meets its duties as a licensed sponsor. These duties include preventing illegal working, maintaining accurate records, monitoring sponsored workers and reporting specified changes or events to UK Visas and Immigration within the required timescales.
- 2.3** This policy also explains the responsibilities of sponsored employees, applicants, managers, Recruitment, Payroll and the HR Data Compliance Team. All parties must provide accurate information, follow the required processes and report any change which could affect an individual's employment, immigration status or sponsorship.
- 2.4** Creative Support is committed to fair and lawful recruitment in accordance with the Equality Act 2010. Recruitment and sponsorship decisions will be based on the requirements of the role, the individual's suitability, current immigration rules and the organisation's operational needs. Right to Work checks will be completed consistently for all workers, regardless of nationality or perceived immigration status.

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- 2.5** Creative Support will retain evidence of every prescribed Right to Work check securely for the duration of the individual's employment and for the period required by current Home Office guidance after employment ends.
- 2.6** Where applicable, the retained record must also include the date the check was undertaken, the name and job title of the individual completing the check, confirmation that the check was undertaken on behalf of Creative Support Limited, the purpose of the check (including the job title), the method used to establish the individual's Right to Work, any conditions or restrictions attached to their permission to work, the date any required follow-up check is due, confirmation that the photograph and biographical details were matched to the individual presenting for work, and a complete copy of the original online Right to Work profile, digital verification result or copied document retained in an unalterable format.
- 2.7** Where an applicant or employee requires sponsorship, Creative Support's HR Data Compliance Team will complete an individual sponsorship assessment. This will include the individual's current immigration status, eligibility to switch or extend their permission to stay, length of service where applicable, conduct and performance, the suitability and genuineness of the role, the relevant occupation code, salary, contracted hours, English language evidence, supporting documentation and any other relevant compliance concerns. Sponsorship will only be approved where Creative Support is satisfied that all applicable legal and organisational requirements have been met.
- 2.8** This policy provides the framework for managing sponsorship throughout the employment relationship, from the initial request and Certificate of Sponsorship assessment through to visa approval, ongoing monitoring, changes in circumstances, extensions and the end of sponsorship.

3. SCOPE

- 3.1** This policy applies to all applicants and employees of Creative Support who are sponsored by the organisation, are applying for sponsorship, or whose immigration status requires ongoing Right to Work monitoring. It also applies to all managers, Recruitment, Human Resources, Payroll and any other employees involved in recruitment, sponsorship, employment or the management of sponsored workers.
- 3.2** This policy covers all stages of the sponsorship process, including recruitment, eligibility assessments, Certificate of Sponsorship requests, visa applications, Right to Work checks, employment, ongoing sponsorship compliance, changes in circumstances, extensions, sponsorship withdrawals and the termination of employment.
- 3.3** Agency workers, contractors, consultants, volunteers and other individuals who are not employed directly by Creative Support are not eligible for sponsorship under the organisation's sponsor licence unless they become employees of Creative Support through the organisation's recruitment process. **Managers must not make any commitment or representation that sponsorship will be available.**
- 3.4** Whilst Creative Support is not responsible for carrying out Right to Work checks on individuals employed by third party organisations, the organisation will take reasonable steps to ensure that agencies, contractors and other suppliers comply with UK immigration legislation.
- 3.5** No exception to this Policy may be approved without written authorisation from the HR Data Compliance Team and, where appropriate, the Service Director with responsibility for People.

4. LEGISLATION AND GUIDANCE

- 4.1** Creative Support will manage all sponsorship activity in accordance with the Immigration Rules, UK legislation, UK Visas and Immigration (UKVI) Sponsor Guidance and any other relevant statutory or regulatory requirements applicable at the time. Where legislation or Home Office guidance changes,

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the current legal requirements will take precedence over this Policy until the Policy is formally reviewed and updated.

4.2 This Policy has been developed with reference to the following legislation and official guidance, together with any subsequent amendments or replacement provisions:

- Immigration Act 1971
- Immigration, Asylum and Nationality Act 2006
- Borders, Citizenship and Immigration Act 2009
- UK Immigration Rules
- Appendix Skilled Worker
- Appendix Skilled Occupations
- Appendix English Language
- Appendix Continuous Residence
- UKVI Sponsor Guidance Part 1: Apply for a Licence
- UKVI Sponsor Guidance Part 2: Sponsor a Worker
- UKVI Sponsor Guidance Part 3: Sponsor Duties and Compliance
- Right to Work Checks: Employer's Guide
- Code of Practice on Preventing Illegal Working
- Code of Practice for Employers: Avoiding Unlawful Discrimination while Preventing Illegal Working
- Data Protection Act 2018
- UK General Data Protection Regulation (UK GDPR)
- Equality Act 2010
- Health and Social Care Act 2008
- Health and Social Care Act 2008 (Regulated Activities) Regulations 2014
- Care Quality Commission (Registration) Regulations 2009
- Care Quality Commission Guidance for Providers
- Any other legislation, statutory guidance or Home Office publications relevant to the sponsorship of workers.

4.3 Where there is any inconsistency between this Policy and current legislation, the Immigration Rules or UKVI Sponsor Guidance, the legislative or regulatory requirements will take precedence. Creative Support will update this Policy as soon as reasonably practicable following any significant legislative or regulatory change.

4.4 Hierarchy of Authority

Where there is any conflict between the documents listed, we shall apply in the following order of precedence:

1. Primary legislation enacted by Parliament
2. The Immigration Rules
3. UKVI Sponsor Guidance
4. Home Office Codes of Practice and published guidance
5. Creative Support Corporate Policies
6. Creative Support Procedures, Forms and Internal Guidance

4.5 Where legislation, the Immigration Rules or Home Office guidance changes, the current legal requirements shall take precedence over any terminology or process described within this policy until the policy is formally reviewed and updated.

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5. DEFINITIONS

For the purposes of this policy, the following definitions apply:

Term	Definition
Applicant	An individual applying for employment with Creative Support.
Authorising Officer	The individual appointed by Creative Support with overall responsibility for the organisation's Sponsor Licence and compliance with UKVI sponsor duties.
Certificate of Sponsorship (CoS)	An electronic record assigned through the Sponsor Management System (SMS) which enables an eligible worker to apply for a Skilled Worker visa. A Certificate of Sponsorship is not a visa and does not, on its own, grant permission to work in the UK.
Digital Identity Check	A digital identity verification completed through an approved Identity Service Provider (IDSP). An IDSP may verify identity and qualifying British or Irish Right to Work evidence where permitted. IDSP does not replace the Home Office online Right to Work check for eVisa holders. Creative Support retains legal responsibility for confirming the person presenting for work matches the identity shown in the result.
eVisa	A digital record of an individual's immigration status held by the Home Office, replacing most physical immigration documents.
Employer Checking Service (ECS)	The Home Office service used to confirm an individual's Right to Work where an online or manual check cannot be completed, or where an individual has an outstanding immigration application, administrative review or appeal.
Genuine Vacancy	A role which genuinely exists within Creative Support, reflects the duties the employee will undertake and meets the requirements of the Immigration Rules.
HR Data Compliance Team	The team responsible for immigration compliance, Right to Work checks, sponsorship administration, Home Office reporting and maintaining Creative Support's Sponsor Licence.
Immigration Application	An application submitted to UK Visas and Immigration to obtain, extend, switch or vary immigration permission.
Immigration Permission	Permission granted by the Home Office allowing an individual to enter, remain or work in the United Kingdom, subject to any conditions or restrictions.
Immigration Status Check	The process of verifying an individual's immigration permission, including the type of permission held, expiry date, work conditions, restrictions and eligibility to undertake the role offered. This may include reviewing eVisa records, Home Office online services, visa documentation, Employer Checking Service responses or other official evidence.
Immigration Rules	The Immigration Rules published by the Home Office governing entry to, residence in and employment within the United Kingdom.
Key Contact	The individual named on Creative Support's Sponsor Licence who acts as the primary contact between the organisation and UK Visas and Immigration.
Leave to Remain	Permission granted by the Home Office allowing an individual to remain in the United Kingdom for either a limited period or indefinitely.
Level 1 User	An authorised individual with full access to the Sponsor Management System who is responsible for assigning Certificates of Sponsorship and completing sponsor reporting duties.
Occupation Code	The Standard Occupational Classification (SOC) code assigned to a sponsored role in accordance with the Immigration Rules.
Organisational Sponsorship Criteria	Creative Support's internal business and compliance requirements.
Positive Verification Notice (PVN)	A PVN will be recognised as evidence of the Right to Work stated within the notice. The issue of a PVN does not reinstate sponsorship, reverse a lawful employment decision or create an entitlement to continued employment. Creative

	Support will assess the Right to Work position separately from any employment or sponsorship decision.
Reportable Event	A change affecting a sponsored worker or the organisation which must be reported to UK Visas and Immigration within the required timescales.
Right to Work Check	The prescribed Home Office process completed before employment commences, and where required throughout employment, to establish a statutory excuse against illegal working.
Share Code Check	An online Right to Work check completed using a Home Office generated share code and the individual's date of birth through the Home Office online checking service.
Skilled Worker	An individual granted permission to work in the UK under the Skilled Worker immigration route.
Sponsor Licence	The permission granted by UK Visas and Immigration allowing Creative Support to sponsor eligible workers under the Immigration Rules.
Sponsor Management System (SMS)	The secure Home Office online system used to assign Certificates of Sponsorship, manage sponsored workers and fulfil sponsor reporting duties.
Sponsored Worker	An employee whose Skilled Worker visa is supported by a Certificate of Sponsorship assigned by Creative Support.
Sponsorship Assessment	Creative Support's internal assessment to determine whether sponsorship should be offered. The assessment considers Home Office requirements, organisational criteria, business need and compliance risk before a decision is made.
Supplementary Employment	Additional employment undertaken by a sponsored worker in accordance with the Immigration Rules and the conditions attached to their immigration permission.
UK Visas and Immigration (UKVI)	The Home Office department responsible for immigration, visas and sponsor licensing.
Visa Sponsorship	The process through which Creative Support supports an eligible worker's Skilled Worker visa application by assigning a Certificate of Sponsorship.
Work Location	The contractual place or places of work for a sponsored employee as recorded within employment records and, where applicable, sponsorship records.

6. ABBREVIATIONS

Abbreviation	Meaning
BRP	Biometric Residence Permit
CoS	Certificate of Sponsorship
DBS	Disclosure and Barring Service
ECS	Employer Checking Service
eVisa	Digital record of immigration status and conditions
HR	Human Resources
IDSP	Identity Service Provider
ISC	Immigration Skills Charge
PVN	Positive Verification Notice
RTW	Right to Work
SELT	Secure English Language Test
SMS	Sponsor Management System
SOC	Standard Occupational Classification
UKVI	UK Visas and Immigration

7. KEY PRINCIPLES

- 7.1** Creative Support is committed to maintaining full compliance with its duties as an A rated sponsor licence holder. The following principles apply to all sponsorship activity undertaken by the organisation.

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- 7.2** Sponsorship is a discretionary business decision based on a number of operational factors and not an entitlement. Meeting the requirements of the Immigration Rules does not guarantee that sponsorship will be offered or continued.
- 7.3** At the time of publication of this Policy, Creative Support only sponsors eligible individuals who are already lawfully living and working in the United Kingdom. **This Policy does not apply to individuals applying for sponsorship from overseas.**
- 7.4** Before sponsorship is approved, Creative Support must be satisfied that both the individual and the proposed role meet all applicable Immigration Rules and organisational requirements. This includes, but is not limited to:
1. The role being eligible for sponsorship.
 2. The individual holding or being eligible for the required immigration permission.
 3. Compliance with salary, contractual hours and English language requirements.
 4. Successful completion of all recruitment and pre-employment checks.
 5. Availability of a Certificate of Sponsorship allocation.
 6. A genuine business need for sponsorship.

Meeting these requirements does not guarantee that sponsorship will be approved.

- 7.5** Creative Support will only sponsor genuine vacancies that accurately reflect the duties undertaken by the employee. Certificates of Sponsorship will only be assigned where the role complies with the Immigration Rules, falls within the organisation's approved sponsorship arrangements and, where required, is connected to regulated activity covered by the organisation's Care Quality Commission registration.
- 7.6 Applicants are responsible for providing complete and accurate information throughout the Sponsorship Assessment and for disclosing any matter which may affect their eligibility.** Creative Support reserves the right to defer, refuse, suspend or withdraw sponsorship where information is inaccurate or incomplete, the Immigration Rules are not met or sponsorship would present an unacceptable legal, operational or compliance risk.
- 7.7 Applicants seeking sponsorship under SOC Codes 6135 or 6136 should be aware that the Immigration Rules currently restrict the ability to bring new dependant family members to the United Kingdom, subject to any exceptions or transitional arrangements in force at the time of application.**

8. RIGHT TO WORK COMPLIANCE

- 8.1** Creative Support is committed to preventing illegal working and maintaining full compliance with the Immigration, Asylum and Nationality Act 2006, the Immigration Rules and all applicable Home Office guidance. No individual will commence employment until the appropriate Right to Work checks have been completed and the organisation has established a statutory excuse against illegal working.
- 8.2** Right to Work checks will be completed consistently for all prospective employees, regardless of nationality, ethnic origin or perceived immigration status, in accordance with the Equality Act 2010. Where appropriate, Creative Support will complete Right to Work checks using one or more of the following prescribed methods:
- Home Office Online Right to Work checking service (<https://www.gov.uk/view-right-to-work>)
 - Digital Identity Verification through an approved Identity Service Provider.
 - Manual Right to Work Check.
 - Home Office Employer Checking Service.

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- 8.3** Creative Support will retain evidence of all prescribed checks, verify any conditions or restrictions attached to an individual's permission to work and complete any follow up checks required by law.
- 8.4** Where an individual has time limited permission to work in the United Kingdom, Creative Support will carry out repeat Right to Work checks before their existing permission expires or at any earlier interval required by the Home Office. Employees must cooperate with all reasonable requests for documentation and promptly notify the HR Data Compliance Team of any change affecting their immigration status or Right to Work.
- 8.5** Where Creative Support is unable to establish or maintain a valid right to work (UKVI refer to this as a "Statutory Excuse") employment will not commence or, where appropriate, may be terminated in accordance with employment legislation and organisational policy. A Positive Verification Notice issued by the Home Office Employer Checking Service will be considered in accordance with current Home Office guidance but does not, in itself, create an entitlement to employment or continued sponsorship.

9. ROLES AND RESPONSIBILITIES

9.1 Employees are responsible for:

- Maintaining a valid Right to Work.
- Providing all information and documentation required for immigration and sponsorship purposes.
- Promptly reporting any change affecting their immigration status, Right to Work or sponsorship.
- Complying with the conditions of their immigration permission and providing all correspondents in relation to their application where applicable.

9.2 Line Managers are responsible for:

- Reporting any proposed employment changes affecting sponsored workers before implementation.
- Reporting absences or any sponsorship compliance concerns.
- Assisting with compliance reviews and audits.
- Keeping up to date with all appropriate training via the HR Compliance Team and Creative Connect.

9.3 Recruitment is responsible for:

- Completing pre-employment checks.
- Referring all sponsorship enquiries to the HR Data Compliance Team.
- Ensuring sponsorship is not offered without approval.

9.4 HR Data Compliance Team is responsible for:

- Managing the Sponsor Licence.
- Completing Right to Work checks and Sponsorship Assessments.
- Assigning Certificates of Sponsorship and completing Home Office reporting.
- Monitoring compliance and maintaining sponsorship records.
- Undertaking periodic compliance audits of sponsored worker records and Sponsor Licence compliance

9.5 Payroll is responsible for:

- Ensuring sponsored workers are paid in accordance with the Immigration Rules.
- Reporting any changes to salary, contractual hours or pay which may affect sponsorship.
- Reporting any breaches, abnormalities or queries on working hours to HR Data Compliance Team.

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10. AUTHORISING OFFICER, KEY CONTACT AND LEVEL 1 USERS

- 10.1** Creative Support will maintain the mandatory personnel required under its Sponsor Licence in accordance with the requirements of UK Visas and Immigration. These include the Authorising Officer, Key Contact and one or more Level 1 Users who are responsible for administering the organisation's Sponsor Management System (SMS) and ensuring compliance with all sponsor duties.
- 10.2** The Authorising Officer is responsible for the overall management of Creative Support's Sponsor Licence and for ensuring the organisation has appropriate governance arrangements, systems and resources in place to comply with the Immigration Rules and UKVI Sponsor Guidance. The Authorising Officer retains overall accountability for the organisation's sponsorship activities and compliance, regardless of whether operational responsibilities are delegated.
- 10.3** The Key Contact acts as the primary point of contact between Creative Support and UK Visas and Immigration and is responsible for receiving and responding to communications relating to the Sponsor Licence where required.
- 10.4** Level 1 Users are authorised by the Authorising Officer and approved by UK Visas and Immigration to access the Sponsor Management System. Level 1 Users are responsible for the day-to-day administration of the Sponsor Licence, including assigning Certificates of Sponsorship, reporting relevant changes, maintaining accurate sponsorship records, updating the Sponsor Management System and ensuring all reporting obligations are completed within the prescribed Home Office timescales.
- 10.5** Access to the Sponsor Management System will only be granted to employees whose duties require such access and who have been authorised by the Authorising Officer. Before access is granted, the individual must receive appropriate training on sponsor duties, immigration compliance, Home Office guidance and the secure use of the Sponsor Management System.
- 10.6** Sponsor Management System accounts are issued to named individuals only and must never be shared. Usernames, passwords, authentication methods and access credentials must remain confidential at all times. Any actual or suspected unauthorised access, security breach or compromise of Sponsor Management System credentials must be reported immediately to the Authorising Officer and the HR Data Compliance Team.
- 10.7** Creative Support will regularly review all Sponsor Management System users to ensure access remains appropriate. Where an individual changes role, leaves the organisation, no longer requires access, or is unable to fulfil their sponsor duties, their Sponsor Management System access will be removed without delay and UK Visas and Immigration will be notified where required.
- 10.8** Wherever reasonably practicable, Creative Support will operate a two-person review process for significant sponsorship activity. This includes the assignment of a CoS and the submission of reportable changes to UKVI. The review will be completed by another appropriately trained and authorised member of staff before the action is submitted.
- 10.9** Creative Support will maintain appropriate succession arrangements to ensure Sponsor Management System access and sponsor duties continue during periods of annual leave, sickness absence or organisational change.

11. VISA SPONSORSHIP

- 11.1** Creative Support is an A rated licensed sponsor authorised by UK Visas and Immigration (UKVI) to sponsor eligible workers under the Skilled Worker immigration route. As a licensed sponsor, Creative Support must comply with all duties and responsibilities set out within the Immigration Rules and UKVI Sponsor Guidance.

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- 11.2** Sponsorship forms an important part of Creative Support's workforce planning strategy and supports the recruitment and retention of suitably qualified individuals where there is a genuine business need. Sponsorship will only be offered where all Home Office requirements, organisational criteria and operational requirements have been satisfied.
- 11.3** The allocation of a Certificate of Sponsorship (CoS) is entirely discretionary and is not an entitlement. Meeting the Home Office eligibility requirements does not automatically result in sponsorship being offered or approved by Creative Support.
- 11.4** Creative Support reserves the right to approve, defer, refuse, suspend or withdraw sponsorship where it considers this necessary to maintain compliance with UKVI requirements or where sponsorship no longer meets the operational or business needs of the organisation.
- 11.5** Creative Support will only sponsor roles that are eligible under the Immigration Rules and which have been approved by the organisation for sponsorship.
- 11.6** At the date of publication, Creative Support primarily sponsors roles falling within the following Standard Occupational Classification (SOC) codes:

SOC Code	Occupation	Examples of Creative Support Roles
6135	Care Workers and Home Carers	Support Worker, Waking Night Support Worker, Extra Care Support Worker, Floating Support Worker, Outreach Support Worker, Recovery Worker, Inclusion Worker and other equivalent care roles.
6136	Senior Care Workers	Senior Support Worker, Senior Extra Care Support Worker, Senior Recovery Worker, Senior Inclusion Worker, Support Coordinator, Team Leader (where the duties fall within SOC 6136), and other equivalent senior care roles.

- 11.7** The examples above are provided for guidance only and are not exhaustive. Creative Support may determine that additional roles fall within these occupation codes or become eligible for sponsorship following changes to the Immigration Rules, Home Office guidance or organisational requirements.
- 11.8** The HR Data Compliance Team is responsible for determining the appropriate occupation code for each role. Managers must not assume that a particular job title or role is eligible for sponsorship without prior confirmation from the HR Data Compliance Team.

12. SPONSORSHIP ASSESSMENT

- 12.1** All sponsorship requests will be assessed by the HR Data Compliance Team in accordance with this Policy, the Immigration Rules and current UK Visas and Immigration (UKVI) Sponsor Guidance. Each application will be considered on its own individual merits, taking into account the information provided by the applicant or employee, the operational requirements of the organisation and Creative Support's ongoing duties as a licensed sponsor.
- 12.2** As part of the Sponsorship Assessment, the HR Data Compliance Team will consider, where applicable:
1. Compliance with the organisational sponsorship criteria set out within this Policy.
 2. The individual's current immigration status and eligibility to apply for, switch into or extend the Skilled Worker route.

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3. The eligibility of the role under the Immigration Rules, including the appropriate Standard Occupational Classification (SOC) code.
4. Whether the vacancy is genuine and accurately reflects the duties to be undertaken.
5. Business need, operational requirements and workforce planning consideration
6. Length of Service.
7. The availability of a Certificate of Sponsorship (CoS).
8. Compliance with the relevant salary threshold, contractual hours and any other immigration requirements applicable to the role.
9. The successful completion of all pre-employment checks, including Right to Work, DBS, references, occupational health and any additional checks required by Creative Support.
10. The individual's compliance with any previous immigration conditions or sponsorship arrangements, where applicable.
11. Any actual or potential compliance, operational, safeguarding or organisational risks associated with the application.

- 12.3** The HR Data Compliance Team reserves the right to request any additional information or supporting documentation considered necessary to complete the Sponsorship Assessment. This may include, but is not limited to, evidence of English language proficiency, qualifications, professional registrations, overseas criminal record certificates, passport documentation, DBS, Manager Assessments, immigration records or any other information required to demonstrate compliance with the Immigration Rules or Creative Support's organisational requirements.
- 12.4** A Sponsorship Assessment will not be completed until all required information has been received and verified to the satisfaction of the HR Data Compliance Team. The submission of an application or supporting documentation does not guarantee that sponsorship will be approved. Creative Support reserves the right to refuse, defer or withdraw sponsorship where the requirements of this Policy, the Immigration Rules or organisational sponsorship criteria are not met, or where sponsorship is no longer considered appropriate due to operational, legal or compliance considerations.
- 12.5** Applicants and employees must disclose any pending immigration application, fee waiver request, administrative review, appeal, judicial review or other immigration proceeding. Except for a Skilled Worker application supported by Creative Support, the organisation will defer sponsorship and will not assign a Certificate of Sponsorship until the matter has been formally resolved.
- 12.6** Once resolved, the individual must provide the full Home Office decision and updated Right to Work evidence. Creative Support will then complete a new Sponsorship Assessment. Any exception requires approval from the HR Data Compliance Team and specialist immigration advice where appropriate.
- 12.7** As part of the Sponsorship Assessment, applicants must provide complete, accurate and truthful information regarding their immigration circumstances, intentions and any matter that may affect their employment, immigration status or Creative Support's sponsorship decision. This includes any information requested during pre-screening meetings, sponsorship assessments or compliance interviews. Creative Support will rely on the information provided when assessing eligibility for sponsorship and throughout the sponsorship process.
- 12.8** Applicants must promptly notify the HR Data Compliance Team if any information provided during the Sponsorship Assessment changes before or after a visa application is submitted. Where an applicant knowingly provides inaccurate, misleading or incomplete information, or acts in a manner that is materially inconsistent with the information provided during the Sponsorship Assessment without notifying the HR Data Compliance Team, Creative Support reserves the right to review, defer, refuse or withdraw sponsorship, or take any other appropriate action in accordance with the Immigration Rules and organisational policy.

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13. SPONSOR LICENCE COMPLIANCE

- 13.1** As a licensed sponsor, Creative Support is committed to maintaining full compliance with the Immigration Rules, UK Visas and Immigration (UKVI) Sponsor Guidance and all other applicable legislation relating to the employment and sponsorship of workers. Maintaining the Sponsor Licence is a shared organisational responsibility and requires effective governance, accurate record keeping, ongoing monitoring and timely reporting throughout the sponsorship lifecycle.
- 13.2** Creative Support services have specific set hourly rates primarily dictated by Local Authority funding. Creative Support are not able to increase, inflate or change rates for individual employees based on the immigration permissions set at the time.
- 13.3** Creative Support will ensure that all sponsored workers have a valid Right to Work in the United Kingdom before employment commences and throughout their employment. The organisation will complete the appropriate Right to Work and Immigration Status Checks in accordance with current Home Office guidance and will retain evidence of those checks to establish and maintain a statutory excuse against illegal working.
- 13.4** The organisation will maintain accurate and up-to-date records for all sponsored workers, including contact details, immigration documentation, employment records, salary, contractual hours, work locations and any other information required under the Immigration Rules or UKVI Sponsor Guidance. Sponsored employees are required to notify Creative Support promptly of any changes to their personal or immigration circumstances to ensure organisational records remain accurate.
- 13.5** Creative Support will continuously monitor sponsored workers throughout their employment to ensure they continue to satisfy the conditions of their immigration permission and remain employed in the genuine vacancy for which they were sponsored. This includes monitoring changes to salary, contractual hours, duties, work location, attendance, periods of unpaid leave and any other circumstances which may affect the organisation's sponsorship obligations.
- 13.6** Where required, Creative Support will report relevant changes relating to sponsored workers or the organisation through the Sponsor Management System (SMS) within the prescribed Home Office timescales. This includes changes affecting employment, sponsorship or the organisation's Sponsor Licence where reporting is required under the Immigration Rules or UKVI Sponsor Guidance.
- 13.7** The organisation will maintain appropriate governance arrangements to ensure sponsorship decisions are accurate, appropriately authorised and regularly reviewed. Internal compliance audits will be undertaken periodically to verify that sponsorship records remain complete, accurate and compliant with current legislation. Creative Support will also cooperate fully with UKVI during any compliance activity, including announced or unannounced compliance visits, requests for information or inspections.
- 13.8** Creative Support recognises that failure to comply with its sponsor duties may result in enforcement action by UKVI, including compliance action against the organisation's Sponsor Licence. For this reason, all employees involved in recruitment, sponsorship or the management of sponsored workers are expected to comply with this Policy, supporting procedures and any guidance issued by the HR Data Compliance Team at all times.
- 13.9** Creative Support will undertake periodic internal audits of sponsored worker records, Right to Work documentation, payroll records, work locations, immigration permissions and Sponsor Management System activity to ensure ongoing compliance with UKVI Sponsor Guidance
- 13.10** Where an audit identifies an actual or potential compliance concern, appropriate corrective action will be taken without delay. This may include additional training, record updates, reporting to UKVI where required or changes to organisational processes.

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14. EMPLOYEE RESPONSIBILITIES

- 14.1** All employees and applicants who hold time limited permission to live and work in the United Kingdom have an ongoing responsibility to ensure they remain legally entitled to work throughout their employment with Creative Support. Employees must comply with the conditions attached to their immigration permission, the requirements of this Policy and any reasonable requests made by Creative Support to enable the organisation to fulfil its legal obligations under the Immigration Rules and Right to Work legislation.
- 14.2** Employees are responsible for providing accurate, complete and up to date information relating to their immigration status and must notify the HR Data Compliance Team immediately, or as soon as reasonably practicable, if any of the following occur:
1. A new immigration application is submitted.
 2. A visa, eVisa or immigration application is approved, refused, withdrawn or expires.
 3. An Administrative Review or appeal is submitted or determined.
 4. A new passport is issued or an existing passport expires, is lost or replaced.
 5. Their residential address, telephone number or email address changes.
 6. Their name, nationality or other personal details change.
 7. They receive any correspondence from UKVI relating to their immigration status.
 8. They intend to undertake, change or cease any supplementary employment where notification is required.
 9. Their immigration conditions change in any way.
 10. Any other circumstance arises which may affect their Right to Work or Creative Support's sponsor duties.
- 14.3** Where an employee is sponsored by Creative Support, additional responsibilities apply throughout the sponsorship period. Sponsored employees must fully cooperate with all sponsorship compliance processes and provide any information or documentation requested by the organisation to enable Creative Support to meet its sponsor duties and reporting obligations.
- 14.4** Failure to comply with these responsibilities may affect an individual's continued employment or Creative Support's ability to continue sponsorship. Where appropriate, the organisation reserves the right to take action in accordance with its contractual, legal and sponsor licence obligations, including reporting relevant matters to UKVI, reviewing the individual's Right to Work, withdrawing sponsorship or taking appropriate employment action.
- 14.5** Creative Support is committed to treating all employees fairly, consistently and with dignity and respect. Decisions relating to performance, conduct, attendance or capability will be made without discrimination and regardless of an employee's nationality, ethnicity, immigration status or whether they require sponsorship. Sponsored employees are subject to the same standards, expectations and processes as all employees.
- 14.6** Creative Support recognises that maintaining immigration compliance is a shared responsibility between the organisation and the employee. Every individual who holds time limited permission to work in the United Kingdom is expected to understand and comply with the conditions attached to their immigration permission and to cooperate fully with all reasonable requests made by the organisation to maintain compliance.
- 14.7** Employees must not assume that Creative Support is aware of changes to their immigration status. It is the employee's responsibility to notify the HR Data Compliance Team of any relevant change, even where they believe UKVI, their legal representative or another third party has already informed the organisation.
- 14.8** Employees must provide the HR Data Compliance Team with a complete copy of any immigration application submitted to UK Visas and Immigration that affects, or may affect, their Right to Work in the

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United Kingdom or their employment with Creative Support, including any supporting evidence requested. This includes, but is not limited to, Skilled Worker applications, visa extensions, settlement applications, changes of immigration category and applications where the organisation is required to obtain a Positive Verification Notice through the Employer Checking Service.

- 14.9** The HR Data Compliance Team reserves the right to review the application to verify that the information is accurate, consistent with the organisation's records and compliant with the Immigration Rules and the organisation's sponsorship obligations. Failure to provide the requested documentation, or the provision of incomplete or inaccurate information, may result in the organisation being unable to verify an individual's Right to Work, proceed with sponsorship, or continue any employment-related process until the required information has been received.

15. RECORD KEEPING REQUIREMENTS

- 15.1** As a licensed sponsor, Creative Support must obtain and retain the records required under the Immigration Rules, UKVI Sponsor Guidance and any other applicable legislation before, during and after sponsorship. Applicants and employees must provide all information and documentation reasonably requested by Creative Support to enable the organisation to fulfil its legal obligations.

15.2 Mandatory Documents and Information:

The following documents and information are mandatory for all applicants or employees requesting sponsorship, unless the HR Data Compliance Team confirms in writing that an item is not required in the individual circumstances:

1. **Passport:** The applicant must provide a valid passport. Creative Support will retain verified copies of the personal details page and any relevant pages containing UK immigration endorsements.
2. **Evidence of the individual's current immigration permission:** including an eVisa record, Home Office online Right to Work check, visa vignette, Biometric Residence Permit (where applicable), Employer Checking Service response or any other document prescribed by the Home Office.
3. **National Insurance Number:** The applicant must provide suitable evidence of their National Insurance number where one has been issued. Acceptable evidence includes a P45, P60, payslip, HMRC correspondence or another official document displaying the number.
4. **Enhanced DBS Certificate (where applicable):** A copy of the employee / applicant's most recent DBS Certificate is required.
5. **Absence Details:** Employees must provide appropriate evidence supporting any relevant absence, including Fit Notes, MATB1 certificates or other documentation reasonably requested by Creative Support.
6. **Contact Details:** Applicants must provide a clearly legible history of their UK residential addresses together with their current and previous telephone numbers and email addresses, where requested.
7. **Evidence of Qualifications, Registrations and Accreditations:** Copies of relevant qualifications, accreditations, registrations, references and other evidence demonstrating that the employee or applicant has the qualifications, skills and experience required for the role. This may include QCF or NVQ certificates, degrees and nursing qualifications.
8. **Evidence of English Language Proficiency:** Applicants must demonstrate that they meet the English language requirement prescribed by the Immigration Rules before Creative Support will consider issuing a Certificate of Sponsorship (CoS). At the time of publication of this Policy, this is

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a minimum of **Level B2** on the Common European Framework of Reference for Languages (CEFR), unless a different standard is prescribed by the Immigration Rules.

The HR Data Compliance Team will verify all English language evidence as part of the Sponsorship Assessment before any Certificate of Sponsorship is assigned.

Applicants may satisfy the English language requirement through any method recognised by UK Visas and Immigration (UKVI), including, but not limited to:

- A **Secure English Language Test (SELT)** taken with a UKVI-approved test provider, achieving the required standard.
- A **degree-level qualification awarded in the United Kingdom**, where the qualification was taught or researched in English.
- An **overseas degree-level qualification** which has been confirmed by **Ecctis** (or any successor organisation recognised by UKVI) as being equivalent to a UK Bachelor's degree, Master's degree or PhD and meeting the required English language standard.
- Any other evidence accepted by UKVI under the Immigration Rules.

Where an applicant relies on an overseas qualification, they will be responsible for obtaining any Ecctis assessment or confirmation required by UKVI before sponsorship can proceed. Creative Support reserves the right to request original documents or additional evidence where necessary to verify compliance with the Immigration Rules.

English language evidence will be retained on the employee's sponsorship file in accordance with Creative Support's record-keeping obligations and UKVI Sponsor Guidance.

At the time of publication, the principal B2 SELTs accepted by the UKVI:

A complete list of approved Secure English Language Tests is available on the Home Office website: [List of approved secure English language tests taken in the UK.](#)

Test Provider	Approved Test	Minimum Required (All Four Components)
IELTS SELT Consortium	IELTS for UKVI	Listening: 5.5, Reading: 5.5, Writing: 5.5, Speaking: 5.5
LanguageCert	LanguageCert Academic SELT and/or LanguageCert General SELT	Listening: 60, Reading: 60, Writing: 60, Speaking: 60
LanguageCert	LanguageCert International ESOL SELT B2	Listening: 33/50, Reading: 33/50, Writing: 33/50, Speaking: 33/50
Pearson	PTE Academic UKVI	Listening: 59, Reading: 59, Writing: 59, Speaking: 59

Applicants are responsible for ensuring they undertake an English language assessment that meets the requirements of the Immigration Rules applicable at the time of their visa application. Failure to obtain the required level of English language proficiency, or undertaking an incorrect test, may result in the Home Office refusing the visa application.

Creative Support is happy to provide general guidance on the English language requirements before an application is submitted; however, responsibility for selecting, booking and completing the appropriate English language test rests solely with the applicant. Creative Support accepts no liability where an applicant undertakes an incorrect test or fails to meet

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the required standard. By proceeding with a sponsorship application, applicants acknowledge that they are responsible for ensuring they submit evidence that satisfies the English language requirements in force at the time of their application.

9. **Overseas Criminal Record Check (or Certificate of Good Character) (where applicable):** New applicants and employees must provide an overseas criminal record certificate where required by Creative Support. The certificate must normally be obtained from the relevant authority in any country where the individual has resided, in accordance with Creative Support's Right to Work Policy and associated recruitment procedures. Where the certificate is not in English, Creative Support may require an official translation. The HR Data Compliance Team reserves the right to request additional information or evidence where necessary.

The requirement to provide an overseas criminal record certificate is in addition to, and does not replace, Creative Support's standard pre-employment safeguarding checks. All successful applicants will also be required to undergo an Enhanced Disclosure and Barring Service (DBS) check (or other appropriate UK criminal record check) before commencing employment, in accordance with the organisational policy.

10. **Manager Assessments:** Where requested by the HR Data Compliance Team, the employee's current or most recent line manager must complete a Manager Assessment Form. This assessment forms part of the Sponsorship Assessment and may include confirmation of the employee's conduct, attendance, performance, capability, compliance with organisational policies, safeguarding concerns, suitability for sponsorship and any other information considered relevant to the sponsorship decision.

The decision to approve or refuse sponsorship rests solely with Creative Support's HR Data Compliance Team and, where appropriate, senior management. Line managers provide information to support the assessment but are not responsible for making, approving or refusing sponsorship decisions.

- 15.3 **Financial Maintenance Requirement:** Applicants are responsible for meeting any financial maintenance requirement applicable under the Immigration Rules. Where evidence of maintenance funds is required, the applicant must provide evidence that meets current UK Visas and Immigration requirements. Creative Support does not normally certify maintenance on the Certificate of Sponsorship.

15.4 Additional Records Required from the Employee or Applicant

- **Previous Passports:** Copies of previous passports, including any pages containing UK visas, entry clearance endorsements or immigration stamps, may be requested where these support an individual's immigration history.
- **Evidence of Date of Entry to the United Kingdom:** Where available, evidence confirming the individual's first date of entry into the United Kingdom may assist with determining immigration history and eligibility for sponsorship.
- **Previous Immigration Documents:** Copies of previous Biometric Residence Permits (BRPs), eVisa records, visa decision letters or other historic immigration documentation may be requested where relevant to the Sponsorship Assessment.
- **Previous Certificates of Sponsorship:** Where an individual has previously been sponsored by another UK employer, Creative Support may request copies of previous Certificates of Sponsorship, visa decision letters or other documentation relating to that sponsorship.
- **Previous Right to Work Evidence:** Copies of previous Home Office Right to Work checks, Employer Checking Service responses or Positive Verification Notices may be requested where relevant.

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Records may be retained electronically within Creative Support's secure HR systems, document management systems or any successor system approved by the organisation

16. RECORDS MAINTAINED BY CREATIVE SUPPORT

- 16.1 Creative Support will maintain accurate, complete and up to date records for all sponsored workers in accordance with the Immigration Rules and UKVI Sponsor Guidance. This includes records relating to recruitment, Right to Work, sponsorship, employment, payroll, attendance and any reportable changes affecting sponsorship. Records will be retained securely for the period required by law and made available to UKVI or other authorised bodies where required.
- 16.2 Creative Support reserves the right to retain any additional records necessary to fulfil its legal obligations as a licensed sponsor or to demonstrate compliance during a UKVI compliance visit or audit.
- 16.3 Records may be reviewed periodically to ensure they remain complete, accurate and compliant with current legislation. Where deficiencies are identified, Creative Support reserves the right to request updated information from the employee.

17. SPONSORSHIP OF EXISTING EMPLOYEES

- 17.1 Employees wishing to be considered for sponsorship must submit a request to the Visa Sponsorship Team via email (Visa.Sponsorship@creativesupport.co.uk). Requests should be submitted as early as reasonably practicable before the expiry of the employee's current immigration permission, provided the employee meets the minimum conditions for consideration.
- 17.2 The HR Data Compliance Team will undertake a Sponsorship Assessment to determine whether the employee and the proposed role satisfy the Immigration Rules, UKVI Sponsor Guidance and Creative Support's organisational sponsorship criteria. Employees are responsible for providing accurate information and all supporting documentation requested as part of the assessment.
- 17.3 Where appropriate and the criteria has been met, employees may be invited to attend a Sponsorship Pre-Screening meeting to verify information, discuss their immigration circumstances, explain the responsibilities associated with sponsorship and identify any actual or potential compliance risks. Creative Support may request additional documentation or information before a decision is made.
- 17.4 Sponsorship requests will be considered on their individual merits, taking account of the Immigration Rules, organisational requirements, business need and compliance considerations. Sponsorship is discretionary and the submission of an application does not create an entitlement to receive sponsorship.
- 17.5 Where sponsorship is approved, Creative Support will assign a Certificate of Sponsorship in accordance with UKVI requirements. Employees remain responsible for submitting any immigration application within the required timescales and for keeping the HR Data Compliance Team informed of any Home Office correspondence or decision affecting their application.
- 17.6 Employees are expected to submit their Skilled Worker visa application before the Certificate of Sponsorship expires. Where the three-month validity period is exceeded and the Certificate of Sponsorship is no longer valid, the sponsorship application will be deemed withdrawn. Any further request for sponsorship will require a new Sponsorship Assessment and fresh organisational approval. The assignment of a replacement Certificate of Sponsorship is entirely at the discretion of Creative Support.
- 17.7 Following the grant of sponsorship, employees must continue to comply with the conditions of their immigration permission and cooperate with any compliance reviews, audits or requests for information. Creative Support will monitor sponsorship throughout employment and reserves the right to review or withdraw sponsorship where required to meet its legal obligations.

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18. SPONSORSHIP OF NEW APPLICANTS

- 18.1** Creative Support's sponsorship pathway for new applicants is intended for individuals who already hold valid permission to live and work in the United Kingdom. Sponsorship is not available to applicants who do not already have lawful immigration permission to reside in the UK.
- 18.2** In accordance with the current Immigration Rules, applicants seeking sponsorship under Standard Occupational Classification (SOC) Code 6135 (Care Workers and Home Carers) or 6136 (Senior Care Workers) will normally be required to have been legally employed by Creative Support in the **relevant role for a minimum period of three months immediately** before a Certificate of Sponsorship (CoS) is assigned where they are applying to switch into the Skilled Worker route from another eligible immigration category.
- 18.3** This requirement applies to applicants who are already lawfully living and working in the United Kingdom and are seeking to switch their existing immigration permission to the Skilled Worker route under one of the above occupation codes.
- 18.4** Creative Support will normally only consider sponsorship where an employee has successfully completed their probationary period. Employees who are subject to an extended probationary period, disciplinary process, formal investigation, capability process or any other formal employment process will not normally be considered for sponsorship until those matters have concluded.
- 18.5** The three-month period must be continuous and immediately precede the CoS assignment where required. Evidence should include contract, job description payroll records, payslips, rotas, timesheets and Right to Work evidence. Periods worked through an agency before direct employment should not count as employment by Creative Support.
- 18.6** The three-month employment requirement does not normally apply where an applicant:
1. Already holds permission as a Skilled Worker sponsored under SOC Code 6135 or 6136 and is applying to continue working under those occupation codes.
 2. Is applying to extend their existing Skilled Worker permission under the Immigration Rules.
 3. Is applying to change employer whilst already holding valid Skilled Worker permission under SOC Code 6135 or 6136, provided they continue to satisfy the relevant Immigration Rules.
- 18.7** Student Visa Applicants: Applicants who hold Student immigration permission must meet the requirements for switching into the Skilled Worker route in force at the date of application. The applicant must normally have completed the course for which they were sponsored, have a sponsored employment start date after their course has finished. Creative Support will normally only consider Student visa holders for sponsorship during the three months before their official course completion date.
- 18.8** Creative Support will assess each application individually against the Immigration Rules in force at the time of application. Meeting the three-month employment requirement does not guarantee sponsorship. All applicants remain subject to the organisational sponsorship criteria, business need, operational requirements, successful completion of the Sponsorship Assessment and all internal governance approvals before sponsorship will be considered.
- 18.9** Where there is any uncertainty regarding an applicant's immigration status or eligibility to switch immigration routes, the HR Data Compliance Team will determine the appropriate course of action before a Certificate of Sponsorship (CoS) is assigned.

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19. DISPLACED WORKERS

- 19.1** Creative Support remains committed to supporting displaced care workers where this aligns with organisational requirements and business need. Where appropriate, the organisation may consider applications from displaced workers in accordance with the current Immigration Rules and any relevant Home Office guidance.
- 19.2** Creative Support recognises that displaced worker arrangements differ between local authorities, Integrated Care Boards, regional partnerships and other organisations. As a result, there is no single national process or mandatory timescale governing displaced worker recruitment. Each opportunity will therefore be assessed individually, taking account of the applicable local arrangements, operational requirements, business need and the organisation's sponsorship criteria.
- 19.3** Participation in any displaced worker pathway does not create an obligation on Creative Support to offer employment or sponsorship. All applicants will remain subject to the organisation's normal recruitment, pre-employment and Sponsorship Assessment processes before any decision is made.

20. EXTENSION OF SPONSORSHIP AND INDEFINITE LEAVE TO REMAIN

- 20.1** Employees are responsible for ensuring they maintain valid immigration permission and should notify the HR Data Compliance Team as early as reasonably practicable if they wish to request an extension of sponsorship or become eligible to apply for Indefinite Leave to Remain (ILR).
- 20.2** Requests for continued sponsorship will be assessed in accordance with the Immigration Rules, UKVI Sponsor Guidance and Creative Support's organisational sponsorship criteria. Sponsorship is discretionary and approval is not guaranteed.
- 20.3** Where sponsorship is approved, Creative Support will assign a Certificate of Sponsorship where required. Employees remain responsible for submitting any immigration application within the prescribed timescales and must promptly provide the outcome of any application together with updated Right to Work evidence.

21. SPONSORSHIP COSTS AND FEES

- 21.1** Creative Support will cover the cost of the Certificate of Sponsorship (CoS) and Immigration Skills Charge where appropriate. The employee is responsible for all other sponsorship costs and any independent immigration advice or legal services they obtain.
- 21.2** A breakdown of the costs and fees associated with sponsorship is provided below. The figures are correct at the date of publication and remain subject to change:

Responsibility	Fee or Expense	Approximate Timescale	Totals
Creative Support	Certificate of Sponsorship	Certificate of Sponsorship is normally assigned electronically through the Sponsor Management System following payment.	£525.00 (one-off-fee)
Creative Support	Immigration Skills Charge	Where payable, the Immigration Skills Charge is paid by Creative Support when the Certificate of Sponsorship is assigned. No separate processing period normally applies. Eligible Student visa switchers are exempt.	£2,400.00 (full five-year visa)

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Employee	Visa Application Fee	Health and Care Worker applications are usually decided within three weeks after the applicant has applied online, proved their identity and provided the required documents. Processing may take longer in individual cases	£628.00 (one-off-fee)
Employee	Optional Priority Service Fee	Where available, Priority Service applications are usually decided within five working days after identity verification.	£500.00
Employee	Optional Super Priority Service Fee	Where available, Super Priority Service applications are usually decided by the end of the next working day after identity verification.	£1,000.00
Employee	Ecctis Qualification and English Language Assessment	Standard processing usually takes approximately 20 working days after Ecctis has received all required documents and payment.	Varies
Employee	Overseas Criminal Record Certificate	Processing times vary by country.	Varies

21.3 Applicants are responsible for ensuring that all applicable fees are paid within the timescales required by UKVI. Failure to pay the appropriate fees or submit a valid immigration application within the prescribed timescales may result in sponsorship being delayed, refused or withdrawn in accordance with this Policy.

21.4 Creative Support will not require, request or permit any sponsored worker to pay, reimburse or otherwise bear the cost of the following:

1. The Certificate of Sponsorship (CoS) fee.
2. The Immigration Skills Charge (ISC).
3. Any other sponsorship costs which the Immigration Rules or Sponsor Guidance prohibit employers from recovering from sponsored workers.

21.5 Any attempt to recover these costs from a sponsored worker, whether directly or indirectly through salary deductions, repayments, loans, clawback arrangements or any other financial agreement, is strictly prohibited. Nothing within this section permits the recovery of any fee prohibited by the Immigration Rules or UKVI Sponsor Guidance

22. CHANGE OF ROLE REQUIRING A NEW SKILLED WORKER VISA APPLICATION

22.1 Where a sponsored employee is promoted, transferred, redeployed or voluntarily moves into a role which requires a new Skilled Worker visa application, including where the role falls under a different Standard Occupational Classification (SOC) Code, a new visa application may be required before the employee commences the new role.

22.2 Where the change in role is requested voluntarily by the employee, including promotions, voluntary transfers or requests to step down into another role, the employee will be responsible for all personal costs associated with the new Skilled Worker visa application. Creative Support will continue to meet any sponsorship costs which it is legally required to pay, including the Certificate of Sponsorship fee and, where applicable, the Immigration Skills Charge.

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22.3 Employees may either:

1. Pay the full cost of the Skilled Worker visa application directly to UK Visas and Immigration (UKVI); or
2. Request an interest-free loan from Creative Support, subject to organisational approval and completion of the appropriate loan agreement.

22.4 Where an interest-free loan is approved, the total amount will normally be recovered through equal deductions over the remaining validity of the employee's Skilled Worker visa. The value and frequency of deductions will be determined by Creative Support based on the employee's payroll arrangements and will be set out in the loan agreement.

22.5 Example:

Visa application fee: £628.00

Visa duration: 5 years (60 months)

Monthly deduction: £628 ÷ 60 = £10.47 per month

Weekly deduction: £628 ÷ 260 = £2.42 per week

Any rounding adjustment will be applied to the final deduction to ensure the loan is repaid in full.

22.6 Where the change in role is not initiated by the employee, including where it arises following a formal capability, performance, organisational restructure or other management process, Creative Support will review each case individually. The organisation reserves the discretion to determine whether the visa application costs will be met by the employee, supported through an interest-free salary or funded by Creative Support, taking into account the circumstances of the case.

22.7 If an employee leaves Creative Support before any approved salary loan has been repaid in full, whether through resignation, dismissal or any other reason, Creative Support reserves the right to recover the outstanding balance from any final salary payment or any other sums lawfully due to the employee, in accordance with the loan agreement and applicable legislation.

22.8 Employees must not commence a role requiring a new Skilled Worker visa application until all immigration requirements have been satisfied and written confirmation has been received from the HR Data Compliance Team.

23. ADDITIONAL COSTS

23.1 Unless expressly agreed otherwise in writing by Creative Support, any costs or fees incurred outside the organisation's sponsorship obligations remain the sole responsibility of the applicant or employee. This includes any costs incurred before, during or after the immigration application process.

23.2 These costs may include, but are not limited to:

1. Passport applications, renewals or replacements.
2. Secure English Language Tests (SELT).
3. Ecctis qualification and English language assessments.
4. Overseas criminal record certificates.
5. Certified translations of documents.
6. Replacement academic certificates or official university transcripts.
7. Medium of Instruction letters or equivalent documentation requested by universities or awarding bodies.
8. Immigration advice or legal representation obtained independently by the applicant.
9. UKVI Priority or Super Priority processing services.

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10. Travel and accommodation costs associated with immigration appointments, biometric enrolment or document collection.
11. Postal, courier or document certification fees.
12. Fees associated with dependant applications.
13. Immigration applications submitted by partners, spouses or children.
14. Costs associated with administrative reviews, appeals or judicial review proceedings.
15. Any fees arising from errors, omissions or delays caused by the applicant.
16. Any other costs not expressly agreed by Creative Support in writing.

23.3 Creative Support accepts no responsibility for financial losses arising from unsuccessful immigration applications, delays in obtaining supporting documentation, changes to UKVI fees or changes to the Immigration Rules. Applicants are encouraged to ensure they understand the full financial implications of their immigration application before proceeding.

23.4 Where an applicant chooses to engage a third party, including an immigration adviser, solicitor, translator or document verification provider, the applicant enters into that arrangement independently. Creative Support accepts no responsibility for the quality of advice received, the outcome of any application, or any fees charged by third party organisations.

23.5 Any delay in obtaining documentation, paying applicable fees or completing actions required by UKVI or a third-party provider will not extend organisational timescales or guarantee that sponsorship will remain available. Creative Support reserves the right to review or withdraw sponsorship where delays materially affect business need, operational requirements or compliance with the Immigration Rules.

24. REPORTABLE EVENTS AND CHANGES IN CIRCUMSTANCES

24.1 As a licensed sponsor, Creative Support has a legal duty to monitor all sponsored workers throughout the duration of their employment and to report specified changes in circumstances to UK Visas and Immigration (UKVI) through the Sponsor Management System (SMS). These reporting duties are a fundamental condition of holding a Sponsor Licence and form a key part of the organisation's wider immigration compliance framework.

24.2 Creative Support is committed to maintaining the highest standards of immigration compliance and recognises that the continued success of its Sponsor Licence depends upon accurate record keeping, proactive monitoring and the timely reporting of all relevant events. The organisation therefore operates robust governance arrangements, internal compliance procedures and regular monitoring processes to ensure it continues to meet its obligations under the Immigration Rules and UKVI Sponsor Guidance.

24.3 Failure to report a relevant event within the prescribed timescales may result in UKVI taking compliance action against Creative Support. This may include compliance visits, increased monitoring, downgrading, suspension or revocation of the organisation's Sponsor Licence. In certain circumstances, failures to comply may also affect the immigration status and continued employment of the sponsored employee concerned.

24.4 Maintaining immigration compliance is a shared responsibility between Creative Support and every sponsored employee. Sponsored employees therefore have an ongoing obligation to notify the HR Data Compliance Team immediately of any change that may affect their immigration status, sponsorship, Right to Work or the organisation's sponsor duties. Employees must not assume that another department, manager or colleague has notified the HR Data Compliance Team on their behalf. Until confirmation has been received from the HR Data Compliance Team, the employee remains responsible for ensuring the information has been reported.

24.5 Where there is any uncertainty as to whether a matter is reportable, employees and managers must seek advice from the HR Data Compliance Team immediately. Creative Support will always adopt a precautionary approach where there is any doubt regarding its reporting obligations and reserves the

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right to submit a report to UKVI where it reasonably believes this is required under the Immigration Rules, UKVI Sponsor Guidance or to protect the organisation's Sponsor Licence.

- 24.6** Creative Support also reserves the right to undertake additional enquiries, request further documentation and verify information through its HR, payroll, recruitment, rostering and other internal systems where this is necessary to fulfil its sponsor duties or investigate a potential breach of the Immigration Rules. Employees are expected to cooperate fully with all reasonable requests for information made as part of these compliance activities.
- 24.7** Sponsored employees may periodically be required to confirm that the information held by Creative Support remains accurate, including their address, contact details, work location, supplementary employment and immigration status.
- 24.8** The table below summarises the principal reportable events that must be notified to UKVI. It is not exhaustive and additional reporting obligations may arise under the Immigration Rules or updated UKVI Sponsor Guidance. Where UKVI reporting requirements change, Creative Support will comply with the requirements in force at the relevant time, regardless of whether they are specifically listed within this Policy.

Reportable Event	Examples	UKVI Reporting Requirement
Failure to commence or delayed start date	Employee does not start employment on the agreed date.	Worker does not start within 28 days. Report through the SMS within the following 10 working days.
Unauthorised absence	Where the sponsored migrant is absent from work for more than 10 consecutive working days without permission.	Within <u>10 working days</u> of the 10th day of absence.
Unpaid or reduced pay	Employee is placed on unpaid leave, has a reduction in salary or contractual hours, or receives reduced pay outside the exceptions permitted by the Immigration Rules.	Report via SMS within 10 working days of the change.
Change to salary	Permanent reduction in salary, contractual pay or working hours where the change affects sponsorship or salary thresholds.	Report via SMS within 10 working days of the change.
Employment ends	Resignation, dismissal, redundancy, retirement, mutual agreement, death or any other reason employment ceases before the Certificate of Sponsorship end date.	Within <u>10 working days</u> of the end of the contract – e.g., for resignation this is the last day of work, <u>not</u> the date the worker resigns.
Change to occupation code	Employee changes into a different role requiring a different Standard Occupational Classification (SOC) Code. This will normally require a new Skilled Worker application before the employee starts the new role.	Report via SMS and assign a new Certificate of Sponsorship (CoS) where required before the change takes effect.
Change in job duties	Significant changes to the employee's duties or responsibilities which alter the nature of the sponsored role or affect the assigned SOC Code.	Report via SMS within 10 working days where the change is reportable. A new CoS and visa application may be required.
Change of work location	Permanent change to the employee's normal place of work, including moving to another branch, office or service where this is reportable under the Immigration Rules.	Report via SMS within 10 working days of the change.

Transfer of Employment	Where the sponsored worker's employment is transferred to a different legal entity via TUPE or similar provisions	Within <u>10 working days</u> of the transfer
Breach of visa conditions	Creative Support becomes aware that the employee has breached the conditions of their immigration permission, for example exceeding permitted supplementary work, undertaking prohibited work or failing to comply with visa conditions.	Report via SMS as soon as reasonably practicable where required under UKVI Sponsor Guidance.
Change to immigration status	Employee is granted Indefinite Leave to Remain (ILR), British citizenship, switches to another visa route or otherwise no longer requires sponsorship.	Report via SMS within 10 working days where sponsorship has ended or the employee no longer requires sponsorship.
Dismissal	Where a sponsored employee's employment ends through dismissal, Creative Support will report the end of sponsorship to UKVI within the required timescales. Any subsequent appeal outcome will be managed in accordance with UKVI Sponsor Guidance.	Within <u>10 working days</u> of the Dismissal.
Suspicion of terrorism or criminal activity	Where the employer possesses any information to suggest the sponsored worker is engaged in terrorism or criminal activity	Report this directly to the police as soon as the information comes to light
Other reportable changes	Any other change required by UKVI Sponsor Guidance	Report via SMS within the timescale specified by the current UKVI Sponsor Guidance

24.9 The reportable events listed above are not exhaustive. Creative Support will report any additional event required by the Immigration Rules or UKVI Sponsor Guidance in force at the relevant time.

25. EMPLOYEE NOTIFICATION REQUIREMENTS

25.1 In addition to the reportable events outlined above, all sponsored employees have an ongoing obligation to immediately notify the HR Data Compliance Team of any change to their personal, employment or immigration circumstances which may affect their Right to Work, sponsorship or Creative Support's Sponsor Licence obligations. This includes, but is not limited to:

1. Any change to their immigration status, visa conditions, immigration permission or Right to Work.
2. The submission of any new immigration application, including applications for a Skilled Worker visa, visa extension, Indefinite Leave to Remain (ILR), British citizenship, administrative review or appeal.
3. Any visa approval, refusal, withdrawal, invalid application or request for further information received from UK Visas and Immigration (UKVI).
4. Any change to their Certificate of Application, Employer Checking Service status or Positive Verification Notice.
5. Any change to their passport, travel document, eVisa or any other immigration document, including where a document has expired, been renewed, lost, stolen or replaced.
6. Any change to their UK residential address, telephone number, mobile telephone number or personal email address.
7. Any legal change of name, nationality or citizenship.
8. Any criminal investigation, arrest, police caution, criminal charge or criminal conviction which may affect their immigration status or continued sponsorship.
9. Any change to professional registrations, qualifications or licences required for their role.

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10. Any secondary employment, supplementary employment or self-employment undertaken where this may affect their immigration permission.
11. Any intended resignation or termination of employment.
12. Any prolonged absence from the United Kingdom where this may affect their employment or immigration status.
13. Any change in personal circumstances which may affect their immigration application or entitlement to remain in the United Kingdom.
14. Any other matter which may reasonably affect Creative Support's obligations as a licensed sponsor.

25.2 Employees must also notify their Line Manager and the HR Data Compliance Team of any absence from work, regardless of the reason, in accordance with the relevant organisational policy. Where appropriate, employees must provide supporting evidence, including Fit Notes, MATB1 Certificates, adoption documentation or any other evidence reasonably requested by Creative Support.

25.3 Notification should be made as soon as reasonably practicable by emailing Visa.Sponsorship@creativesupport.co.uk. Where the matter is urgent, employees should also contact the HR Data Compliance Team or Head Office by telephone. Any verbal notification must be confirmed in writing by email as soon as possible to ensure an appropriate audit trail is maintained.

25.4 Employees remain responsible for ensuring that Creative Support has received and acknowledged the information. Informing only a colleague, Line Manager or leaving a voicemail will not, on its own, satisfy the employee's reporting responsibilities unless confirmation has been received from the HR Data Compliance Team.

25.5 Failure to notify Creative Support of a reportable change may prevent the organisation from complying with its Sponsor Licence duties and may result in sponsorship being reviewed or withdrawn, disciplinary action, notification to UK Visas and Immigration (UKVI), or any other action considered appropriate under the Immigration Rules, this Policy or the employee's Contract of Employment.

26. AUTHORISED PERIODS OF UNPAID LEAVE

26.1 Creative Support recognises that sponsored employees may take periods of authorised unpaid leave where permitted under the Immigration Rules and UKVI Sponsor Guidance. Employees must notify the HR Data Compliance Team as early as reasonably practicable so that any sponsorship implications or reporting obligations can be assessed.

26.2 Examples include, but are not limited to:

1. Statutory maternity leave or shared parental leave.
2. Statutory paternity leave.
3. Parental leave.
4. Statutory adoption leave.
5. Sick leave supported by appropriate medical evidence.
6. Bereavement leave.
7. Jury service.
8. Carers Leave (Unpaid)
9. Any other period of authorised unpaid leave permitted under the Immigration Rules or current UKVI Sponsor Guidance.

26.3 Creative Support reserves the right to request appropriate documentary evidence before any period of authorised unpaid leave is approved. Where an employee intends to take a period of unpaid leave, they must notify the HR Data Compliance Team as early as reasonably practicable to enable the organisation to assess whether any reporting obligations arise under the Immigration Rules.

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Reporting Changes

- 26.4** Sponsored employees and Line Managers must promptly notify the HR Data Compliance Team of any change that may affect an employee's Right to Work, immigration status or sponsorship. Where there is any uncertainty, advice must be sought before any change is implemented.
- 26.5** Creative Support will assess each notification and determine whether the change must be reported to UK Visas and Immigration (UKVI) through the Sponsor Management System (SMS) in accordance with the Immigration Rules and Sponsor Guidance.
- 26.6** Failure to report a relevant change or comply with sponsorship requirements may result in sponsorship being reviewed or withdrawn, notification to UKVI where required, disciplinary action and any other action necessary to protect Creative Support's Sponsor Licence.

27. ORGANISATIONAL REPORTABLE EVENTS

- 27.1** Creative Support recognises that its sponsor duties extend beyond reporting changes affecting sponsored workers. The organisation must also report certain organisational changes to the Home Office within the timescales specified in the Sponsor Guidance. All departments must notify HR immediately of any proposed organisational change which may affect the sponsor licence or the employment of sponsored workers.

- 27.2** Examples of reportable organisational changes include, but are not limited to:

1. A change to the organisation's legal name.
2. A change to the registered office, head office, trading address or any other address associated with the sponsor licence.
3. A change in ownership, legal status or corporate structure, including mergers, acquisitions, demergers, transfers of undertakings or changes in controlling ownership.
4. Insolvency, administration, liquidation, voluntary arrangements or any other formal insolvency proceedings.
5. A significant change to the nature of the organisation's business activities or the services it provides.
6. The opening, closure, relocation or transfer of branches, services or work locations where sponsored workers are employed.
7. Changes affecting the organisation's size or circumstances where these have implications for sponsor licence obligations, including matters relating to the Immigration Skills Charge.
8. Changes to key personnel responsible for the sponsor licence, including the Authorising Officer, Key Contact, Level 1 Users or other Sponsor Management System users.
9. The grant, suspension, cancellation, expiry, variation or any other change to the organisation's CQC registration or other regulatory approval where this affects sponsored roles.
10. Any change which affects the organisation's ability to offer genuine sponsored employment or continue meeting the duties of a licensed sponsor.

- 27.3** HR is responsible for assessing whether an organisational change is reportable under the Sponsor Guidance and, where required, ensuring the appropriate notification is submitted to the Home Office within the applicable reporting timescale. All managers and senior leaders must notify HR of any planned or actual organisational change immediately to ensure compliance with sponsor licence obligations.

28. TRANSFER OF UNDERTAKINGS (PROTECTION OF EMPLOYMENT) REGULATIONS (TUPE)

- 28.1** Where employees transfer into or out of Creative Support under the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE), the organisation will comply with all applicable Immigration Rules, UK Visas and Immigration (UKVI) Sponsor Guidance and sponsor licence duties.

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- 28.2** A Sponsor Licence does not transfer between organisations. Where sponsored workers transfer to Creative Support under TUPE or similar statutory arrangements, Creative Support must hold the appropriate Sponsor Licence or submit a valid Sponsor Licence application within the timescale prescribed by the Home Office. Where the relevant conditions are met, the worker will not normally require a new Certificate of Sponsorship or Skilled Worker application solely because of the transfer.
- 28.3** Where sponsored employees transfer into Creative Support, the HR Data Compliance Team will review each employee's immigration status, determine any sponsorship obligations and complete all actions required to maintain compliance. Employees requesting sponsorship after transfer will be subject to the same Sponsorship Assessment and organisational criteria as any other employee.
- 28.4** Where sponsored employees transfer from Creative Support to another organisation, Creative Support will complete all required reporting to UKVI and cooperate with the receiving employer where appropriate to support the transfer of sponsorship responsibilities. Responsibility for ongoing sponsorship will transfer to the receiving organisation where permitted under the Immigration Rules.
- 28.5** Creative Support cannot guarantee that a receiving organisation holds a valid Sponsor Licence or is able to continue sponsorship. Where sponsorship cannot continue, the organisation will comply with its reporting obligations and, where reasonably practicable, discuss any available options with the employee before the transfer takes place.

29. SPONSORED WORKERS SPONSORED BY ANOTHER EMPLOYER

- 29.1** Creative Support may employ individuals who are sponsored by another organisation and undertake supplementary employment with Creative Support, provided the employment complies with the individual's immigration permission and the Immigration Rules.
- 29.2** Supplementary employment must be undertaken outside the working hours covered by the worker's Certificate of Sponsorship, must not exceed 20 hours per week and must meet the requirements of the Immigration Rules.
- 29.3** Before employment commences, the HR Data Compliance team will complete appropriate checks to establish that the individual is permitted to undertake supplementary employment. This will include obtaining and reviewing evidence of the individual's immigration status.
- 29.4** The individual may be required to provide information and evidence including, but not limited to:
1. A copy of their eVisa or evidence of their current immigration permission.
 2. A valid Right to Work check.
 3. A copy of their Certificate of Sponsorship (CoS), where appropriate.
 4. Details of their sponsoring employer.
 5. Their Certificate of Sponsorship reference number, SOC code, sponsored job title and work location.
 6. Copy of Payslips.
 7. Their job title and duties with their sponsoring employer.
 8. Their normal contracted working hours.
 9. Confirmation of their working pattern.
 10. Details of the proposed role with Creative Support.
 11. Confirmation that the work with Creative Support complies with the conditions attached to their immigration permission.
 12. Copies of their contract of employment, offer letter or other documentation relating to their primary sponsored employment.
- 29.5** Any additional information or supporting evidence reasonably requested by the HR Data Compliance team to verify compliance with the Immigration Rules.

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30. WORK LOCATIONS, MULTI-GEOGRAPHICAL WORKING AND TEMPORARY DEPLOYMENT

- 30.1** Creative Support is responsible for ensuring that sponsored workers undertake the duties described on their Certificate of Sponsorship (CoS) and work within the **approved geographical area** and at work locations that comply with the Immigration Rules and UKVI Sponsor Guidance. Any proposed permanent change of work location, regular multi-site working arrangement, transfer to another service, or other significant change to a sponsored worker's normal work location or geographical area must be referred to the HR Data Compliance Team before implementation. The HR Data Compliance Team will determine whether the arrangement is permitted and whether UKVI must be notified or sponsorship records updated.
- 30.2** Temporary deployments to meet operational requirements within the sponsored worker's **approved geographical area**, including emergency cover, sickness absence, annual leave, recruitment gaps, training or business meetings, will be assessed on a case-by-case basis. Managers must not grant unrestricted access to work across multiple services or outside the employee's approved geographical area without prior approval from the HR Data Compliance Team where immigration compliance may be affected.
- 30.3** Sponsored workers must notify their manager and the HR Data Compliance Team if they become aware that they are routinely working at services or locations outside their approved geographical area, or in a manner inconsistent with their sponsorship arrangements. Failure to comply with this section may result in disciplinary action and, where appropriate, reporting to UKVI.
- 30.4** Sponsored workers must only undertake shifts at services and work locations approved by Creative Support within their approved geographical area and consistent with their sponsorship records. To maintain immigration compliance, Creative Support will restrict access to shifts outside the worker's approved services or geographical area, including through any internal or third-party scheduling system. Any proposed exception or permanent change must be approved by the HR Data Compliance Team before the shift is accepted or worked.

31. DATA PROTECTION, CONFIDENTIALITY AND INFORMATION GOVERNANCE

- 31.1** Creative Support is committed to protecting the privacy, confidentiality and security of all personal information processed in connection with immigration, Right to Work, sponsorship and recruitment activities.
- 31.2** All personal information will be processed in accordance with the UK General Data Protection Regulation (UK GDPR), the Data Protection Act 2018 and Creative Support's Data Protection and Information Governance Policy.

32. UKVI COMPLIANCE VISITS

- 32.1** Creative Support will cooperate fully with any UK Visas and Immigration (UKVI) compliance activity, including announced and unannounced compliance visits, audits, requests for information and inspections. The organisation will provide access to records, systems, premises and personnel where required to demonstrate compliance with its sponsor duties.
- 32.2** Employees are expected to cooperate fully with any UKVI compliance activity and provide accurate information when requested. Failure to cooperate with a lawful request or the deliberate provision of false or misleading information may result in disciplinary action and, where appropriate, notification to UKVI.
- 32.3** Sponsored employees may be required to attend an interview or meeting with UK Visas and Immigration (UKVI) as part of the organisation's sponsorship duties or the Home Office's compliance activities. Employees must cooperate with any such request and attend where required.

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32.4 Creative Support will undertake periodic internal compliance audits to assess ongoing compliance with the Immigration Rules and Sponsor Guidance.

33. POLICY REVIEW

33.1 This Policy will be reviewed at least annually, or earlier where there are changes to legislation, the Immigration Rules, UKVI Sponsor Guidance or organisational requirements.

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